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U.S. DISTRICT COURT E.D.N.Y.
★ DEC 17 2012 ★
BROOKLYN OFFICE

EJK:SPN
F#2012R01772

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

LOUIS COLON-GENTILE,

Defendant.

- - - - -X

THE GRAND JURY CHARGES:

COUNTS ONE THROUGH FOUR
(Distribution of Child Pornography)

1. On or about the dates set forth below, within the Eastern District of New York, the defendant LOUIS COLON-GENTILE did knowingly and intentionally distribute visual depictions, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
ONE	aaa(51).jpg	February 17, 2012
TWO	(PTHC) 4Yo Little Girl Spread Eagle And No panties.jpg	April 17, 2012
THREE	1203961489269.jpg	May 12, 2012
FOUR	3_1.jpg	June 12, 2012

using a means and facility of interstate and foreign commerce, and which visual depictions had been mailed, and shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed, and so shipped and transported, by any means including by computer, the

I N D I C T M E N T

Cr.

(T. 18, U.S.C., §§ 2252(a)(2),
2252(a)(4)(B), 2252(b)(1),
2252(b)(2), 2253 and 3551 et
seq.; T. 21, U.S.C., §
853(p))

CR 12 -

777

VITALIANO, J.
POHORELSKY, M.J.

production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNTS FIVE AND SIX
(Receipt of Child Pornography)

2. On or about the dates set forth below, within the Eastern District of New York, the defendant LOUIS COLON-GENTILE did knowingly and intentionally receive visual depictions, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
FIVE	2yrfordaddy02.jpg	March 12, 2012
SIX	pictures from ranchi torpedo dloaded in 2009- pedo kdv kidzilla pthc toddlers 0yo 1yo 2yo 3yo 4yo 5yo 6yo 9yo tara babyj(214)(1).jpg	April 4, 2012

using a means and facility of interstate and foreign commerce and which visual depictions had been mailed, and shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNT SEVEN
(Possession of Child Pornography)

3. On or about November 6, 2012, within the Eastern District of New York, the defendant LOUIS COLON-GENTILE did knowingly and intentionally possess matter containing one or more visual depictions, to wit: videos and images in computer files contained on a silver/black, self-built desktop computer, which visual depictions had been mailed, and shipped and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

4. The United States hereby gives notice to the defendant charged in Counts One through Seven that, upon his conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Sections 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced,

transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses of conviction; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses of conviction, or any property traceable to such property.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other

property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

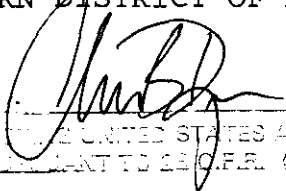
(Title 18, United States Code, Section 2253; Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON

LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK



LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

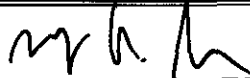
Louis Colon-Gentile,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 2252(a)(2), 2252(a)(4)(B), 2252(b)(1), 2252(b)(2), 2253
and 3551 et seq.; T. 21, U.S.C., § 853(p))

A true bill.



Foreman

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Samuel P. Nitze, Assistant U.S. Attorney (718-254-6465)